IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

TUESDAY, THE 4TH DECEMBER 2007 / 13TH AGRAHAYANA 1929

Mat.Appeal.No. 237 of 2007()

OP.434/2004 of FAMILY COURT, KOTTAYAM
.....

PETITIONER: APPELLANT:
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1. THOMAS K.T., S/O. THOMAS,
AGED 39 YEARS, KAKKANATTUPARAMBIL HOUSE,
KUDAMALLOOR P.O., KOTTAYAM FROM KAKKANATTUPARAMBIL
THEKKADY P.O., KUMILY, FROM KAKKANATTUPARAMBIL
PUTHENTHODY BHAGAM, PULIKUTTISSERY P.O.,
KOTTAYAM DISTRICT.

2. THEYAMMA, AGED 81 YEARS,
W/O. THOMAS, KAKKANATTUPARAMBIL HOUSE,
KUDAMALLOOR P.O., KOTTAYAM -DO- -DO-

BY ADV. SRI.RENNY AUGUSTINE

RESPONDENT/PETITIONER:

SINI MATHAI, D/O. MATHAI,
AGED ABOUT 34 YEARS, CHAKKITTUKUDIYIL HOUSE,
KALLOORKKAD P.O., MUVATTUPUZHA TALUK,
ERNAKULAM DISTRICT.

BY //

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 04/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ORDER IN I.A. NO. 1091 OF 2007 IN MAT. APPEAL NO. 237 OF 2007.

DISMISSED

4.12.2007 Sd/-(KURIAN JOSEPH, JUDGE)

Sd/-(HARUN-UL-RASHID, JUDGE)

KURIAN JOSEPH & HARUN-UL-RASHID,JJ.

MAT. APPEAL NO. 237 OF 2007

Dated this the 4th day of December, 2007

JUDGMENT

Kurian Joseph, J.

This appeal is filed against the judgment and decree in O.P. No.434 of 2004 on the file of the Family Court, Kottayam at Ettumanoor. The appellants are the respondents. The Original Petition was allowed permitting the respondent to realize an amount of Rs.25,000/- with 6% interest from the date of the suit till realization and also recover 14.5 sovereigns of gold or the then equivalent value of Rs.87,000/- with 6% interest from 26.12.2006 till realization.

2. Learned counsel for the appellants submits that since the respondent initiated steps for execution of the decree, the appellants may be permitted to pay the balance of the decree amount in ten equal monthly instalments. It is for the appellants to file a petition before the Family Court at Ettumanoor in which case the Family Court will pass appropriate

orders in the matter after hearing the respondent also.

The appeal is disposed of as above.

(KURIAN JOSEPH, JUDGE)

(HARUN-UL-RASHID, JUDGE)

sp/

KURIAN JOSEPH &
HAURN-UL-RASHID, JJ.

L.A.A.NO

JUDGMENT

4TH DECEMBER, 2007